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Kang Soo Seo

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30593

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EXAMINER

SHIBRU, HELEN

ART UNIT

PAPER NUMBER

2621

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,461	<b>Applicant(s)</b> SEO ET AL.	
	<b>Examiner</b> HELEN SHIBRU	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/17/2008, 06/23/2008, 06/06/2008</u> .                      | 6) <input type="checkbox"/> Other: _____                          |



## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Species 2 (figure 6) and all the claims in the reply filed on 11/17/2008 is acknowledged. The traversal is on the ground(s) that the alleged species are not mutually exclusive and there is no burden in examining the application with all species. This is not found persuasive because the present application specification discloses the different features of the mutually exclusive species. Applicant attention is directed to the areas in the disclosure that relate to the species. There is an examination and search burden for these patentably distinct species. The species require a different field of search (e.g., searching different classes/subclasses or electronic resources, or employing different search queries); and/or the prior art applicable to one species would not likely be applicable to another species. Therefore the restriction requirement is maintained.

### ***Response to Amendment***

2. The amendments, filed 07/15/2008 have been entered and made of record. Claims 1-19 and 21-46 are pending.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-19 and 21-46 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 9-19, and 21-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi (US PG PUB 2002/0106196) and in view of Saeki (US PG PUB 2001/0043790).

Regarding claim 1, Yamauchi discloses a computer readable medium storing an executable structure for managing multiple component data recorded on the computer readable medium, comprising: a data area having at least one clip file of main component data and at least one clip file of auxiliary component data, the clip file of main component data and the clip file of auxiliary component data being separate clip files that are non-interleaved in the data area (see abstract and claim 1), each of the clip files having at least one entry point (see figure 14, paragraphs 0204, and 0207-0210).

Claim 1 differs from Yamauchi in that the claim further requires a management area separate from the data area, the management area storing an entry point map identifying the at least one entry point of an associated clip file and mapping presentation start time information to address information for the associated clip file.

In the same field of endeavor Saeki discloses a management area separate from the data area (see figure 6 where the management information and the data are recorded in separate area, see also abstract), the management area storing an entry point map identifying the at least one entry point of an associated clip file (see paragraphs 0085, 0087, 0192, 0195 and figure 5) and mapping presentation start time information to address information for the associated clip file (see paragraph 0096-0101 where the prior art discloses start time have a corresponding position information, see also figure 9). Therefore in light of the teaching in Saeki it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify Yamauchi by mapping start time with an address in order to reproduce the data seamlessly.

Regarding claim 2, Yamauchi discloses wherein the auxiliary component data includes audio data (see figure 22B, abstract and paragraph 0135).

Regarding claim 3, Yamauchi discloses the auxiliary component data includes subtitle data (see abstract, paragraphs 0163-0164, 0167, 0169 and figure 12A-C).

Regarding claim 4, Yamauchi discloses the auxiliary component data includes enhanced data (see abstract).

Regarding claim 9, Yamauchi discloses each clip file is divided into data units, and wherein boundaries between data units indicate where reproduction is permitted to jump to a different clip file (see paragraphs 0112 and 0146-0149).

Regarding claim 10, Yamauchi discloses each data unit includes the at least one entry point (see paragraphs 0188).

Regarding claim 11, Yamauchi discloses each data unit in a clip file has a same number of entry points (see paragraphs 0105, 0131, 0188 and 0271).

Regarding claim 12, Yamauchi discloses at least two data units in a same clip file have different numbers of entry points (see paragraphs 0131-0132, 0136-0137).

Regarding claim 13, Yamauchi discloses the entry point map includes at least one flag associated with the at least one entry point, the at least one flag identifying whether jumping to another clip file is permitted in relation to the at least one entry point (see paragraphs 0191, 0195, 0200-0201 and 0271, see also rejection of claim 1 above).

Regarding claim 14, Yamauchi discloses the at least one entry point defines the data units the associated clip file (see paragraphs 0176-0178).

Regarding claim 15, Yamauchi discloses an active flag indicates that jumping is permitted after reproducing the at least one entry point having the active flag (see paragraphs 0279).

Regarding claim 16, Yamauchi discloses an active flag indicates that jumping is permitted at the at least one entry point having the active flag (see paragraphs 0289 and 0291).

Regarding claim 17, Yamauchi discloses the data area has more than one clip file of auxiliary component data (see abstract).

Claim 18 is rejected for the same reason as discussed in claim 4 above.

Regarding claim 19, the limitation of claim 19 can be found in claims 1 and 9. Therefore claim 19 is analyzed and rejected for the same reasons as discussed in claims 1 and 9 above.

Claims 21 and 22 are rejected for the same reason as discussed in claims 4 above.

Claim 23 is rejected for the same reasons as discussed in claim 1 above.

Regarding claim 24, the limitation of claim 24 can be found in claim 1 above. Therefore claim 24 is analyzed and rejected for the same reasons as discussed in claim 1 above. It is noted that the prior art discloses reproducing the clip file as claimed in claim 24 (see claim 10 in Yamauchi and claims 4-5 in Saeki).

Regarding claim 25, the limitation of claim 25 can be found in claim 1 above. Therefore claim 25 is analyzed and rejected for the same reasons as discussed in claim 1 above. It is noted that the prior art discloses a controller coupled to the optical recording device and performing the

claimed limitation as recited in claim 25 (see claim 10 in Yamauchi, figures 22A and 22B and claims 4-5 and figure 15 in Saeki).

Claim 26 is rejected for the same reasons as discussed in claim 25 above.

Regarding claim 27, Saeki discloses the clip file of the main component data and the clip file of auxiliary component data are non-interleaved (see figures 3A-3B, 4, and 5).

Claims 28, 34, 43, and 39 are rejected for the same reason as discussed in claim 13 above.

Claims 29, 32, 35 are rejected for the same reasons as discussed in claim 15 above.

Claims 30, 36, 40 and 44 are rejected for the same reasons as discussed in claim 9 above.

Claims 31, 37, 41, and 45 are rejected for the same reasons as discussed in claim 14 above.

Claims 33, 38, 42, and 46 are rejected for the same reasons as discussed in claim 27 above.

6. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi in view of Saeki (US PG PUB 2001/0043790) and further in view of Official Notice.

Regarding claims 5-8, although both Yamauchi and Saeki fail to disclose the auxiliary component data includes Java, html, xml, and CGI data, Official Notice is taken that it is well known in the art at the time the invention was made to use html, xml and CGI data in order to transform the data.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571)272-7329. The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HELEN SHIBRU/  
Examiner, Art Unit 2621  
February 02, 2009

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621

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